

APR 27 2009

USSN: 10/575,766
Atty Docket No. VMP-40008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas Lutz

For: GARMENT

Serial No. 10/575,766

Filed: December 19, 2006

) Confirmation No. 3545

) Group Art Unit: 3765

) Examiner: Larry Worrell, Jr.

LETTER IN RESPONSE TO COMMUNICATION MAILED ON APRIL 16, 2009

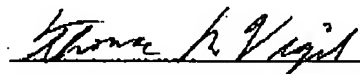
TO:
MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the communication (copy attached) requesting a substitute specification, applicant is enclosing herewith a marked copy of the specification and a clean copy of the specification to satisfy the request from the Examiner.

CERTIFICATE OF FACSIMILE FILING

I, Thomas R. Vigil, certify that this Letter and marked-up and clean specifications, 24 total pages, was sent by facsimile to the USPTO to fax no. 1 571 273 8300 on April 27, 2009.



Thomas R. Vigil Reg. No. 24542

Respectfully submitted,
PYLE & PIONTEK, LLC

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April 27, 2009

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UNITED STATES PATENT AND TRADEMARK OFFICE

APR 18 2009

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,766	12/19/2006	Thomas Lutz	8043-97175	3545

66919 7590 04/16/2009
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CHICAGO, IL 60601

EXAMINER
WORRELL JR. LARRY D

ART UNIT	PAPER NUMBER
3765	

MAIL DATE	DELIVERY MODE
04/16/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

APR 27 2009



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
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APPLICATION NO./ CONTROL NO. 10575766	FILING DATE 12/19/06	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION LUTZ, THOMAS	ATTORNEY DOCKET NO. 8043-97175
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CHICAGO, IL 60601

EXAMINER

Danny Worrell

ART UNIT	PAPER
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3765

20090407

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

A substitute specification EXCLUDING the claims is required pursuant to 37 CFR 1.125(a) because the copy of the translated specification from the 371 filed 12/19/06 is difficult to read especially pages 1 and 2 and because page 3 is not shown and could lead to confusion and mistake during the issue and printing processes. Accordingly, in order to prevent such mistakes a complete subspec is required before passing the case to printing. Sec 37 CFR 1.125 and MPEP § 608.01(q). A substitute specification must not contain new matter. The substitute specification must be submitted with markings showing all the changes relative to the immediate prior version of the specification of record. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. An accompanying clean version (without markings) and a statement that the substitute specification contains no new matter must also be supplied. Numbering the paragraphs of the specification of record is not considered a change that must be shown.

APPLICANT IS GIVEN 1 MONTH OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS NOTICE TO SUPPLY THE CORRECTION.

FAILURE TO TIMELY REPLY TO THIS NOTICE WILL RESULT IN ABANDONMENT OF THE APPLICATION.

/Danny Worrell/
Primary Examiner, Art Unit 3765

PTO-90C (Rev.04-03)